



To the Honorable Council
City of Norfolk, Virginia

June 23, 2015

From: David Ricks, Director of Public Works

Subject: Encroach into the right-of-way of Wilson Avenue and a service alley at 112-116 W. Wilson Avenue with a polycarbonate vertical element and an emergency egress door.

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved:

Marcus D. Jones, City Manager

Item Number:

R-6

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** The Hurrah Players, Inc.
112-116 W. Wilson Avenue
Norfolk, Virginia 23510

III. **Description:**
This agenda item is an ordinance permitting The Hurrah Players, Inc. ("Hurrah Players") to encroach into the right-of-way of Wilson Avenue and a service alley at 112-116 W. Wilson Avenue with a polycarbonate vertical element and an emergency egress door.

IV. **Analysis**
An encroachment is an object or structure that infringes into the City of Norfolk's rights-of-way or property. *Norfolk City Code*, § 42-10, requires all encroachments onto City rights-of-way or property to be approved by City Council. This encroachment will allow Hurrah Players to enhance the building façade and allow for an emergency exit from the building.

V. **Financial Impact**
Liability insurance has been provided naming the City of Norfolk ("City") as an additional insured in the amount of \$1,000,000.00; therefore, there should be no financial risk to the City. The City will not charge a fee for this encroachment.

VI. Environmental

There is no negative environmental impact associated with this action.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City's agenda notification process.

VIII. Board/Commission Action

The Department of Public Works and the City Attorney's Office have reviewed this request for encroachment and offer no objections. The encroachment was reviewed and recommended by the Architectural Review Board and the City Planning Commission.

IX. Coordination/Outreach

This letter has been coordinated with the Department of Public Works, the Department of Planning and Community Development, and the City Attorney's Office.

Supporting Material from the Department of Public Works:

- Ordinance
- Exhibit A (3 sheets)

Form and Correctness Approved:

By [Signature]
Office of the City Attorney

Contents Approved:

By [Signature]
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING THE HURRAH PLAYERS, INC. TO ENCROACH INTO THE RIGHT OF WAY OF WILSON AVENUE AND A SERVICE ALLEY AT 112-116 W. WILSON AVENUE WITH A POLYCARBONATE VERTICAL ELEMENT AND AN EMERGENCY EGRESS DOOR.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to The Hurrah Players, Inc., and its successors and assigns, the owner of certain property located at 112-116 W. Wilson Avenue, to encroach into the right of way of Wilson Avenue and an unnamed service alley with a polycarbonate vertical element and an emergency egress door, as shown on the sketches attached hereto as Exhibit A, subject to and contingent upon the following conditions:

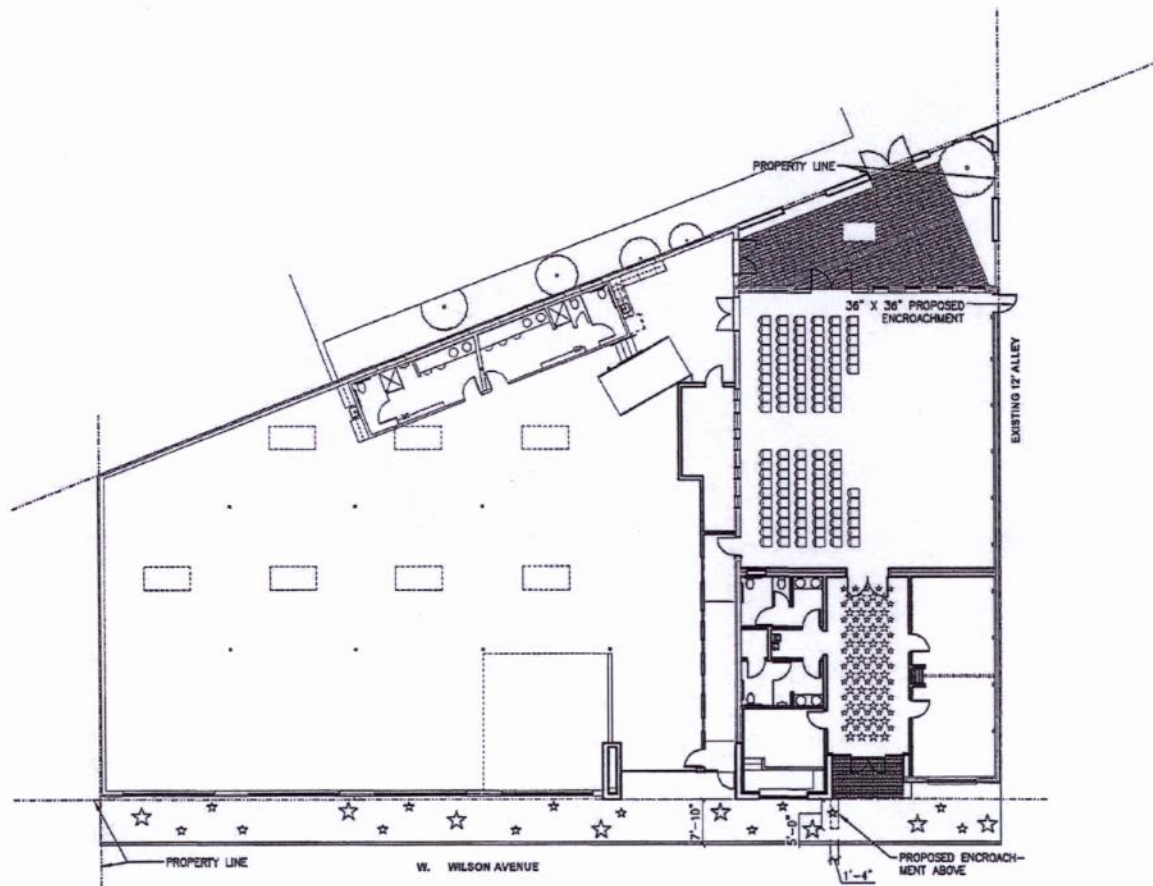
- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, The Hurrah Players, Inc., or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof the authority hereby granted shall cease and terminate.
- (3) That The Hurrah Players, Inc., or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect public liability insurance in some company authorized to do business in the Commonwealth of Virginia, insuring it and naming the City of Norfolk as an additional insured party in the amount of at least \$1,000,000.00 against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or The Hurrah Players, Inc., and its successors and assigns, for any injury to or death of any person

or persons or for any damage to or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures; that evidence of such insurance shall be filed with the Risk Manager of the City of Norfolk.

Section 2:- That the failure of The Hurrah Players, Inc., or its successors and assigns, to fully comply with all contingencies set forth herein shall operate as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching elements shall be deemed an acceptance by The Hurrah Players, Inc., and its successors and assigns, of all conditions to which the permission herein granted is subject.

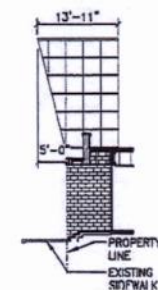
Section 4:- That this ordinance shall be in effect from and after its adoption.



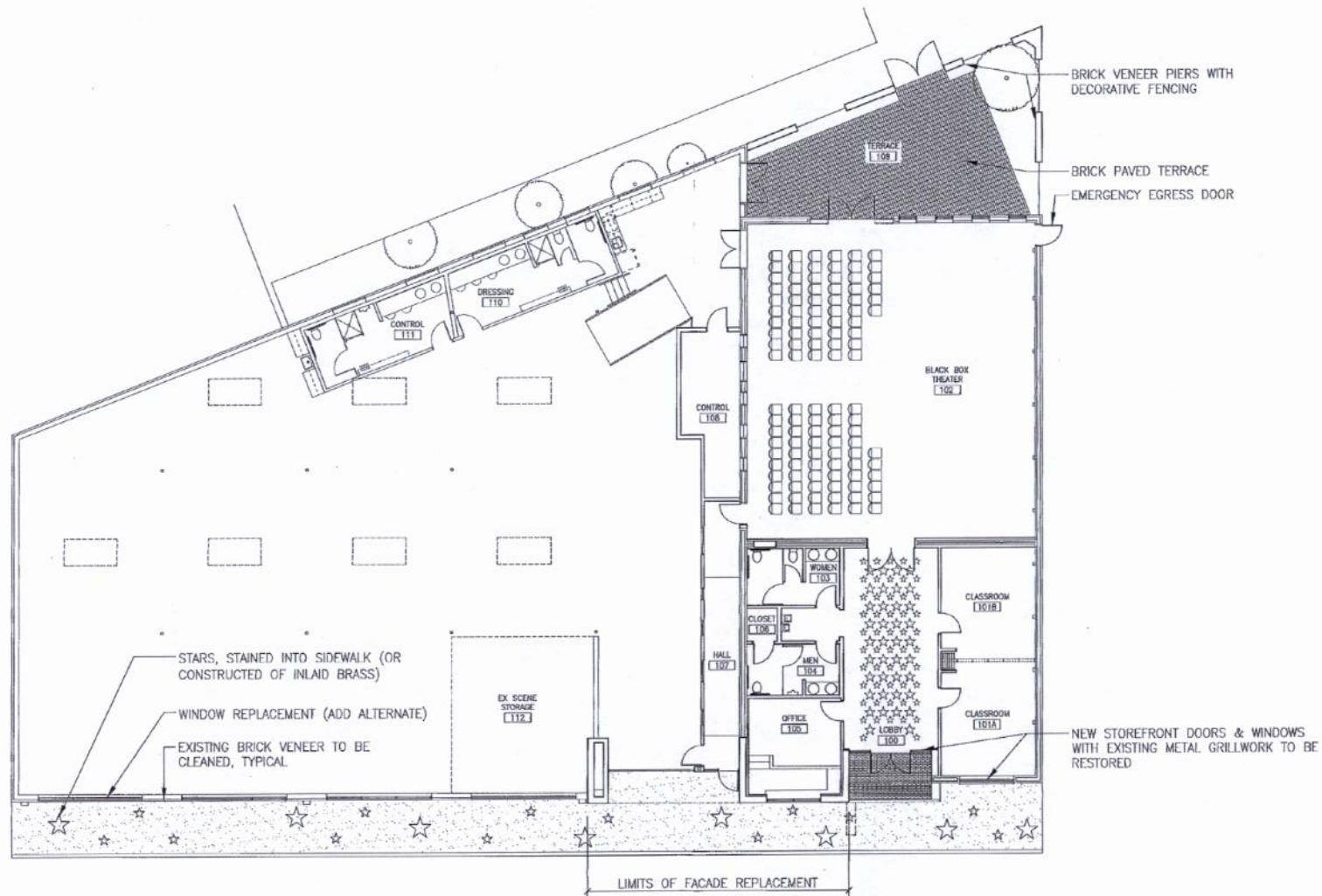
1 NEW WORK PLAN
 $1/32" = 1'-0"$
 0 2' 4' 8'



2 SOUTH ELEVATION
 $1/32" = 1'-0"$
 0 2' 4' 8'

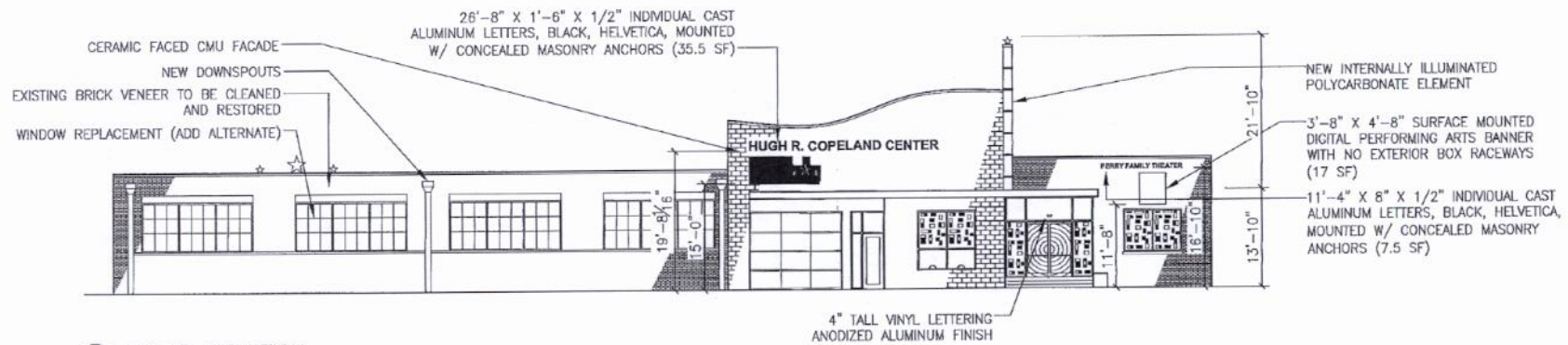


3 PROFILE
 $1/32" = 1'-0"$
 0 2' 4' 8'

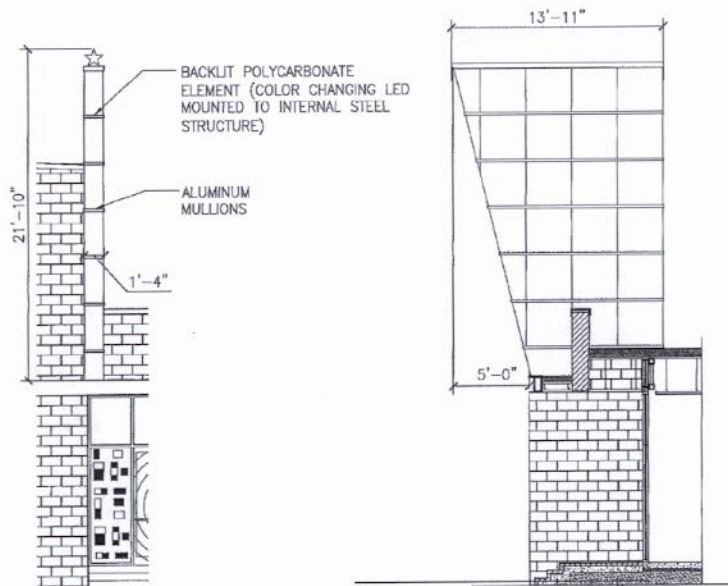


1 NEW WORK PLAN
 1/16" = 1'-0"
 0 2' 4' 8'

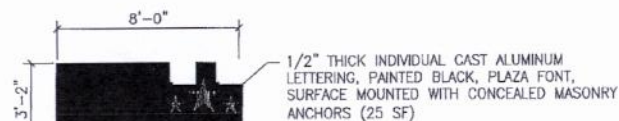
TMA
 TYMOFF+MOSS ARCHITECTS
 512 BOTETOURT STREET
 NORFOLK, VIRGINIA 23510



1 FRONT ELEVATION
1/16" = 1'-0"
0 2' 4' 8'



2 VERTICAL ELEMENT
1/16" = 1'-0"
0 2' 4' 8'



3 ENLARGED SIGN
3/16" = 1'-0"

SIGNAGE ALLOWANCES [SECTION 16-8.6(B)]

PER SECTION 16-8.6(B) OF THE ZONING ORDINANCE FOR THE CITY OF NORFOLK, FOR SIGNS ERECTED WITH THEIR HIGHEST PORTIONS BELOW A HEIGHT OF TWENTY (20) FEET ABOVE CURB LEVEL, EACH BUSINESS SHALL BE ALLOCATED ONE AND ONE-HALF SQUARE FEET OF SIGN SURFACE AREA FOR EACH FOOT OF LOT FRONTAGE. SIGNS PERMITTED SHALL BE ERECTED ONLY ON THE EXPOSURE OF THE PROPERTY FROM WHICH THE ALLOTMENT IS COMPUTED.

155 LF OF LOT FRONTAGE ON W. WILSON AVENUE YIELDS 232.5 SF OF SIGNAGE ON SAME ELEVATION.

85 SF OF SIGNAGE IS PROPOSED.

TMA
TYMOFF+MOSS ARCHITECTS
512 BOTETOURT STREET
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